

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

HASSAN CHUNN; NEHEMIAH McBRIDE;  
AYMAN RABADI, by his Next Friend  
MIGDALIZ QUINONES; JUSTIN RODRIGUEZ,  
by his Next Friend JACKLYN ROMANOFF;  
ELODIA LOPEZ; and JAMES HAIR,

individually and on behalf of all others similarly  
situated,

Petitioners,

-against-

WARDEN DEREK EDGE,

Respondent.

No. 20 Civ. 01590

**DECLARATION OF AYMAN  
RABADI**

Ayman Rabadi declares the following under penalty of perjury and pursuant to 28 U.S.C. § 1746:

1. My name is Ayman Rabadi. I am 59 years old and I will turn 60 on May 29, 2020. I have been incarcerated at the Metropolitan Detention Center for approximately 4 months.
2. I have served approximately 18 months of a 24-month sentence. I am scheduled to be released on July 19, 2020.
3. When I am released, I can return to my family home of the past thirty years, where I will live with my adult daughter and her family. I will be able to isolate myself and take precautionary measures against COVID-19. I will also be able to resume medical care from my primary care and cardiac doctors, both of whom are located in in Yonkers, New York.
4. I have a number of serious medical conditions including a diagnosed heart condition, anxiety, asthma, and diabetes. I suffered a heart attack approximately six years ago, and thereafter I had several stents placed in my heart. I have a tumor in one of my kidneys which is being monitored via ultrasound. I also suffer from severe anxiety and depression.

5. In 2019, while I was incarcerated, I suffered a stroke and I was in the intensive care unit for four days at Westchester County Medical Center.

6. I take medication for high blood pressure, cholesterol, diabetes, and blood thinners. I currently take more than a dozen medications a day. I ran out of seizure medication last month, and when I told an officer, he said “too bad.”

7. I also have an anal fistula that is bleeding constantly and very painful. I can’t adequately clean it every day because I have little access to the showers. I am concerned about getting an infection. A few months ago, the MDC gave me pampers to deal with the bleeding from the fistula. Right now, I am just using regular napkins to stop the bleeding.

8. My glasses broke about a month ago. I can’t see without my glasses. I asked for help and an officer said: “We don’t fix glasses.”

9. Over the past several months, I have put in many sick call requests. No one has responded to them. I have made requests on the computer and by writing them down. I have also asked the guards to request medical for me. I have asked many times for someone to check my blood sugar because I am diabetic, but these requests are ignored.

10. In the last few weeks, the medical staff started taking everyone’s temperatures in the housing unit. At first, it was two times a day. Then, the nurse came by once a day. If I asked her anything, she didn’t want to hear it. She never asked me any questions about my health. For the last week, no one has taken my temperature.

11. I am currently housed on Unit 82. I have been here for about two months. I share a small cell with another person. My cellmate and I share a toilet and a sink. My cellmate has high blood pressure and he takes medication for that.

12. I am locked in my cell 24 hours a day except for three days a week when I can leave for about 30 minutes. I can't exercise or walk, even though my doctor has advised me that I need to walk around for my health. It's only one step from my toilet to my bed. We are fed meals through a hole in the door. The tight quarters are causing people to get on each other's nerves; there is a lot of tension on the unit.

13. A few weeks ago, I asked an officer for more soap and I was told, "No, we ran out." I tried to buy soap from commissary and a guard told me that the commissary doesn't have any soap I can buy.

14. I don't have anything to clean my cell with. We had a bottle of cleaning solution for the last two months but it is now used up and we were told that there is no more. For a long time, no one was cleaning the common areas but now they started to clean them. I was putting a sock over the phone when I called my wife because the phone was so dirty.

15. I first received a face mask on about April 15<sup>th</sup>. I then got a second mask in the last few days. I have no gloves. People in the unit are not wearing their masks when they leave their cells, and no one is telling them to wear them.

16. The officers on this unit started wearing masks and gloves about five days before my lawyers came for an inspection.

17. About a month ago, one guy on our unit disappeared after he developed a bad cough. Then he came back to the unit, wearing a mask. He was the only person on the unit with a mask, out of 90 people. Later, they locked everyone down for 14 days. They came back and said "we're locking you until May 18<sup>th</sup>." When people are coughing, the guards tell them: "Stay away."

18. About two weeks ago, a person on the unit had a kidney stone, and he was on the floor in great pain. Nobody responded for an hour, and when medical came, the staff member said: "Get up," but the man couldn't get up.

19. When I leave my cell to go out to the shower, I hear guys coughing, saying they have fevers. Everyone is coughing and sneezing and sick.

20. In the last week, two new people moved onto our unit. They said they had been transferred from Allenwood, Pennsylvania.

21. Because of my age, heart condition, anxiety, diabetes, and other medical conditions, I am at high risk for complications from COVID-19 infection. I am scared that I will die here. I worry that if I get it, I will not walk out here.

Executed on: April 29, 2020  
Brooklyn, New York

As reported by Ayman Rabadi to  
Katherine Rosenfeld of Emery Celli  
Brinckerhoff & Abady LLP

/s/ \_\_\_\_\_  
Katherine Rosenfeld

Counsel to Ayman Rabadi